

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 5911

PERMIT 3408

LICENSE 4413

ORDER ALLOWING CHANGE IN POINT OF
DIVERSION AND IN PLACE OF USE

WHEREAS License 4413 was issued to Shady Brook Water Company and was filed with the County Recorder of Orange County on December 1, 1956, and

WHEREAS said license was subsequently assigned to the Santiago County Water District, and

WHEREAS the State Water Resources Control Board has found that the change in point of diversion and in the place of use under said license for which petitions were submitted on September 17, 1971, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said points of diversion and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 4413 to the points of diversion and redirection described as follows, to wit:

4

(1) SOUTH FIVE DEGREES TEN MINUTES WEST
(S5°10'W) ONE THOUSAND FIVE HUNDRED TEN
(1,510) FEET FROM N $\frac{1}{4}$ CORNER OF SECTION
15, T5S, R7W, SBB&M, BEING WITHIN SE $\frac{1}{4}$ OF
NW $\frac{1}{4}$ OF SAID SECTION 15, AND

(2) 150 FEET NORTH AND 360 FEET WEST
OF THE N $\frac{1}{4}$ CORNER OF SECTION 15, T5S,
R7W, SBB&M, BEING WITHIN THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF
SECTION 10, T5S, R7W, SBB&M

IT IS FURTHER ORDERED that permission be and the
same is hereby granted to change the place of use under said
License 4413 to a place of use described as follows, to wit:

WITHIN THE SANTIAGO COUNTY WATER DISTRICT
BOUNDARIES AND SERVICE AREA AS SHOWN ON THE
MAP FILED SEPTEMBER 16, 1971, WITH THE
STATE WATER RESOURCES CONTROL BOARD

Dated: NOV 12 1971

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

4



License for Diversion and Use of Water

Notice of Assignment (Over)

APPLICATION 5911

PERMIT 3408

LICENSE 4413

THIS IS TO CERTIFY, That Shady Brook Water Company
P.O. Box 52, Silverado, California

has made proof as of May 5, 1955

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
an unnamed spring in Orange County

tributary to Silverado Canyon thence Santiago Creek

for the purpose of domestic use

under Permit 3408 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from May 14, 1928;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed twenty-eight thousand eight
hundred (28,800) gallons per day to be diverted from January 1 to December 31
of each year.

The point of diversion of such water is located south five degrees ten minutes
west (S 5° 10' W) one thousand five hundred ten (1,510) feet from N $\frac{1}{4}$ corner
of Section 15, T 5 S, R 7 W, SBB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within: S $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 10, T 5 S, R 7 W, SBB&M
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9, T 5 S, R 7 W, SBB&M
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9, T 5 S, R 7 W, SBB&M
E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9, T 5 S, R 7 W, SBB&M
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T 5 S, R 7 W, SBB&M

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

COVERED BY LICENSE ORDER NO.

rights herein confirmed subject to

contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

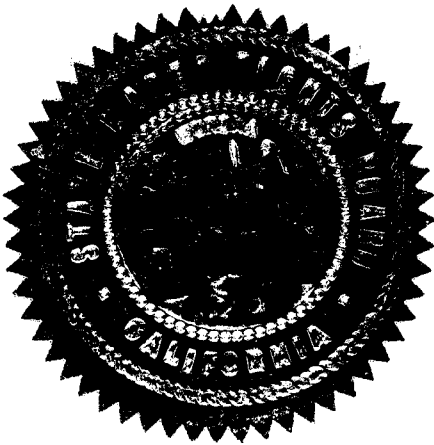
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **OCT 23 1956**

STATE WATER RIGHTS BOARD



By *Leslie C. Jopson*
Leslie C. Jopson
Chief Engineer

3-3066 RECEIVED NOTICE OF ASSIGNMENT TO *Santiago County*
Water District

LICENSE 4413

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
O APPROPRIATE WATER

ISSUED TO Shady Brook Water Company

OCT 23 1956

TED